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Facsimile Transmission Number: 703-872-9306

**IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE**

**RECEIVED
CENTRAL FAX CENTER****AUG 23 2004**

Applicant: Dennis John Newland
Application Number: 09/895,763
Filed: June 28, 2001
Title: Self Guyed Structures

Examiner: Chi Q. Nguyen
Art Unit 3637
Attorney Docket: Newland-3D
Customer No. 33549

**REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. § 1.111, WITHOUT AMENDMENT**

I. INTRODUCTORY REMARKS

This request for reconsideration, without amendment, is in response to the Examiner's Office Action communication mailed April 21, 2004. In that office action, the Examiner expressed substantive concerns as to claims 29-34 and 43-48 as based on the Stern patent (US Patent No. 6,542,132, hereinafter Stern), while allowing claims 20-28, 35-38 and 49-55. In response to all of the concerns of the examiner, this reply is submitted.

II. REMARKS

The Applicant explains that the rejections under 35 U.S.C. § 102(e) of claims 29-34 and 43-48 as based on the Stern reference should be withdrawn because these claims are entitled to the filing date of provisional application 60/216,298 (Exhibit B), filed July 5, 2000, and the "§102(e) date" of the Stern reference is June 12, 2001 (of course, July 5, 2000 is before June 12, 2001). This date (June 12, 2001) is the filing date of Stern; Stern apparently has no earlier priority date.

More specifically, because: